

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

---

ALBERT C. BLACK III, as TRUSTEE  
OF PM SETTLEMENT TRUST and  
SUBSTITUTE PLAINTIFF ON  
BEHALF OF PENNY HAAB MOORE,  
CHRISTA PETRUSA, JOSEPH  
PETRUSA, THE KAREN THOMAS  
FAMILY TRUST, ALBEAZUL, LLC,  
JEFF WENDEL, JAMES DUDOVICK,  
ADRIANA VAN HEMERT,  
RICARDO YANEZ, THE ESTATE OF  
MALCOM R. DILLON, JOSE  
GUERRO, SHARON MILLER,  
TERRY SCHACKOW, DEBRA SUE  
TAYLOR, JOHN RENTERIA, DMAR  
FINANCIAL CORP., JONATHON M.  
HICKS, NANCY SMITHERMAN,  
ANDREA LEDBETTER and TED  
WILSON and others similarly situation,  
and as Wind-Up Agent of PetroRock  
Mineral Holdings, LLC,

CASE NO. 3:23-CV-02701

*Plaintiff,*

v.

STEFAN T. TOTH, 2X5  
ENTERPRISES LIMITED  
PARTNERSHIP, THE 2X5,  
HOMEBOUND RESOURCES, LLC,  
RESOLUTE CAPITAL PARTNERS  
LTD, LLC; RESOLUTE CAPITAL  
ADVISORS, LLC; RESOLUTE  
CAPITAL MANAGEMENT  
SERVICES, LLC; THOMAS J.  
POWELL, POWELL I.P, LLC;  
MOUNTAIN HIGH CAPITAL, LLC;

---

---

MOUNTAIN HIGH CAPITAL;  
MANAGEMENT LLC; STRATEGIC  
ENERGY ASSETS, LLC; TENACITY  
HOLDING COMPANY LLC;  
TIBURON HOLDINGS; RESOLUTE  
CAPITAL MANAGERS, LLC; RCP-  
LTD., LLC; RCMG, LLC; RESOLUTE  
ENERGY CAPITAL, LLC; FOX-IP,  
LLC; LOVE 2 LIVE, LLC; LOVE 2  
LIVE HOLDINGS, INC.; STEFAN  
TOTH FAMILY TRUST;  
CONSTANTINE CAPITAL, LLC;  
HOMEBOUND FINANCIAL GROUP,  
LP; TED ETHEREDGE;  
JACQUELINE KUIPER; CANDACE  
POWELL; LEONARD TOTH;  
HOMEBOUND ENERGY, LLC;  
HOMEBOUND, LLC; PETROROCK  
PRODUCTION HOLDINGS, LLC;  
TOTH INVESTMENTS, LLC;  
FELFRAN INVESTMENTS, LLC;  
FRTR REALTY COMPANY, LLC;  
HOMEBOUND CONSTRUCTION  
SERVICES, LLC; PETROROCK  
PIPELINE & SWD, LLC; TPS  
ENERGY, LLC; TPS ENERGY 2,  
LLC; TPS REALTY, LLC; MINERVA  
MIDSTREAM, LLC; MINERVA  
MIDSTREAM MANAGEMENT, LLC;  
CRUDE ANC, LLC; FLINT ROCK  
MARKETING, LLC; N MASTER  
HOLDINGS, LLC; RIVERFRONT  
MINERALS, LLC; ELM CAPITAL,  
LLC; JLTH AT NORTH GP, LLC;  
EDERVILLE PARK TOWNHOMES,  
LLC; and MCKENNY 90  
TOWNHOMES, LLC

---

*Defendants.*

---

## **ORDER STAYING AND ADMINISTRATIVELY CLOSING CASE**

Before the Court are the following pending motions:

1. Albert C. Black's Motion to Remand, (ECF No. 13);
2. Black's Amended Motion to Remand, (ECF No. 14);
3. Black's Motion to Stay Pending Remand, (ECF No. 17);
4. Resolute Entities' Motion to Dismiss, (ECF No. 22);
5. Stefan Toth, et al.'s Motion to Dismiss, (ECF No. 24);
6. Black's Motion to Sever, (ECF No. 30);
7. Constantine Capital LLC, et al.'s Motion to Dismiss, (ECF No. 32); and
8. Powell I P LLC's Motion to Dismiss, (ECF No. 38);

In light of the above, the Court enters the following orders:

1. The Court hereby **STAYS** all proceedings in this case until it has ruled on the pending motions.
2. Furthermore—weighing the competing interests of the Parties and the Court—the Court concludes in its discretion that this action should be administratively closed during the pendency of the stay. Thus, the Court **ADMINISTRATIVELY CLOSES** this case during the pendency of the stay—pending ruling(s) on the remaining motions. (ECF Nos. 13; 14; 17; 22; 24; 30; 32; and 38). The Court reserves reopening the case to set a hearing for oral argument, as necessary.
3. Notwithstanding the above, **IT IS ORDERED THAT** the Parties may make further filings into this case only with express leave of court.

**This is not a final order.** The Clerk of the Court is **DIRECTED** to **STAY** and **ADMINISTRATIVELY CLOSE** this action (3:23-CV-02701). The Clerk shall stay—but not terminate—these motions. (ECF Nos. 13; 14; 17; 22; 24; 30; 32; and 38). The Parties shall only file motion(s) into this case upon express leave of court. The Court reserves the right to hold hearing(s) as deemed necessary on these motions. The Clerk shall transmit to the Parties a true copy of this order.

*(Signature page follows).*

**SO ORDERED** this day of September 16, 2024.

A handwritten signature in black ink, appearing to read 'Ada Brown', written over a horizontal line.

ADA BROWN  
UNITED STATES DISTRICT JUDGE